

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7284

BILL NUMBER: SB 346

NOTE PREPARED: Feb 22, 2011

BILL AMENDED: Feb 15, 2011

SUBJECT: Environmental legal action statute of limitations.

FIRST AUTHOR: Sen. Gard

FIRST SPONSOR: Rep. Wolkins

BILL STATUS: As Passed Senate

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill defines the term "person". It specifies the statute of limitations for an environmental legal action and an action for a contribution to pay for corrective action related to a release from an underground storage tank. It excludes actions adjudicated or settled prior to the effective date of the statute of limitations for an environmental legal action. It allows new actions or amendments to pending actions brought prior to the statute of limitations for an environmental legal action.

Effective Date: Upon passage.

Explanation of State Expenditures:

Explanation of State Revenues: The impact that specifying a statute of limitations for legal action and for contribution to pay for corrective action is indeterminable. Because the Indiana Department of Environmental Management (IDEM) receives revenue for corrective actions, limiting the time frame for recovery could reduce revenue received.

Explanation of Local Expenditures:

Explanation of Local Revenues: Any governmental entity may seek to recover costs incurred for a removal action. Placing a statute of limitations for legal action could reduce revenues received for costs incurred by local units. The impact is indeterminable.

State Agencies Affected: IDEM.

Local Agencies Affected: All.

Information Sources:

Fiscal Analyst: Bernadette Bartlett, 317-232-9586.